

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

MICHAEL COLEMAN	§	
and CHERRYLYN LINCOLN	§	
	§	
VS.	§	CIVIL ACTION NO. G-06-689
	§	
JPMORGAN CHASE BANK, N.A. f/k/a	§	
JPMORGAN BANK AS TRUSTEE, on	§	
behalf of FIRST FRANKLIN	§	
MORTGAGE LOAN TRUST 2004-FF10,	§	
ASSET-BACKED CERTIFICATES,	§	
SERIES 2004-FF10	§	


OPINION AND ORDER

Before the Court is a Report and Recommendation from the United States Magistrate Judge dated January 30, 2007, which recommends that the converted Motion for Summary Judgment of Defendant JPMorgan Chase Bank be granted and that the complaint of Plaintiffs, Michael Coleman and Cherrylyn Lincoln, be dismissed. The Magistrate Judge set a February 16, 2007, deadline for the filing of objections, but, to date, no objections have been filed.

After *de novo* review, pursuant to 28 U.S.C. § 636(b)(1)(C), this Court finds that the Report and Recommendation of the Magistrate Judge is a well reasoned and correct application of law to the facts in this case and it is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

Accordingly, it is the **ORDER** of this Court that the converted Motion for Summary Judgment (Instrument no. 5) of Defendant JPMorgan Chase Bank, N.A. is **GRANTED** and that the “ Complaint for Declaratory Judgment and Class Action” (Instrument no. 1) of Plaintiffs, Michael Coleman and Cherrylyn Lincoln, is **DISMISSED in its entirety**.

DONE at Galveston, Texas, this 27th day of February, 2007.



Samuel B. Kent
United States District Judge